

House File 2552 - Reprinted

HOUSE FILE 2552
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HF 2325)

(COMPANION TO SF 2175 BY
SWEENEY)

(As Amended and Passed by the House March 4, 2020)

A BILL FOR

1 An Act relating to drainage and levee districts, by providing
2 for notice of hearing on reports of commissioners, and for
3 repairs that require a report by an engineer or soil and
4 water conservation district conservationist.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 468.45, Code 2020, is amended to read as
2 follows:

3 **468.45 Notice of hearing.**

4 1. The board shall fix a time for a hearing upon the report
5 of the commissioners, and the auditor shall cause notice to be
6 served upon each person whose name appears as owner, naming the
7 person, and also upon the person or persons in actual occupancy
8 of any tract of land without naming the person or persons, of
9 the day and hour of such hearing, ~~which.~~

10 2. The notice shall be for the same time and served in the
11 same manner as is provided for the establishment of a levee
12 ~~or drainage or levee~~ district, and including as provided in
13 sections 468.14 through 468.18, and shall state include all of
14 the following:

15 a. A statement of the amount of the assessment of costs and
16 expenses of construction apportioned to each owner upon each
17 forty-acre tract or less, ~~and that.~~ However, the statement is
18 not required to be published as required in section 468.15, if
19 it is posted in the office of the county auditor and on the
20 county's internet site. The county auditor shall provide a
21 copy of the statement upon request.

22 b. A statement that all objections ~~thereto~~ to the report
23 must be in writing and filed with the auditor at or before the
24 time set for ~~such~~ the hearing.

25 Sec. 2. Section 468.126, subsection 1, paragraph d, Code
26 2020, is amended to read as follows:

27 d. ~~If a hearing is required under~~ Notwithstanding paragraph
28 "c" "b", if the estimated cost of the repair exceeds fifty
29 thousand dollars or the adjusted competitive bid threshold,
30 whichever is more, the board shall order an engineer's report
31 or a report from the soil and water conservation district
32 conservationist regarding the matter to which shall be
33 presented at the hearing provided in paragraph "c". The board
34 may waive the report requirement if a prior report on the
35 repair exists and that report is less than ten years old. At

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1 the hearing, the board shall hear objections to the feasibility
2 of making the proposed repair.